

Statement on the Acquisition of Breeding Stock by Class "A" Licensees:

For the purposes of the Animal Welfare Act (AWA), the acquisition of breeding stock by Class "A" licensees from bona fide retail sources is considered a retail transaction. This means that the seller (breeder) of the breeding stock, if otherwise exempt from AWA regulation, is not required to be licensed under the AWA for such a transaction, and the certification requirement of §2.132(d) does not apply. Therefore, Class "A" licensees purchasing breeding stock directly from those bona fide retail (exempt) sources do not need to acquire the seller certifications listed in this section. All other acquisition and disposition records as outlined in the AWA regulations and standards are still required for such retail acquisitions.

The Animal Welfare Act is intended to regulate persons and animals in the wholesale pet trade. Breeding animals acquired by Class "A" licensees are not intended for resale. The transaction involving a Class "A" licensee obtaining breeding stock is regarded as a retail sale, because the seller is providing the animal to the end user. Accordingly, the seller is not regarded as a dealer and the requirement of §2.132(d) does not apply.

Class "B" licensees, by definition, are involved in the resale of animals in the wholesale pet trade and therefore any sale to these licensees is not considered a retail pet trade transaction. Class "B" licensees must abide by the requirements of §2.132(d) when obtaining any animal.